

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

MEDIA MATTERS FOR AMERICA, *et al.*,

Plaintiffs,

v.

WARREN KENNETH PAXTON JR., in his
official capacity as Attorney General of the
State of Texas,

Defendant.

Civ. No. 8:23-cv-3363-PX

DEFENDANT'S MOTION TO DISMISS

Defendant Ken Paxton in his official capacity as Attorney General respectfully moves under Fed. R. Civ. P. 12(b)(1)-(3) to dismiss Plaintiffs' complaint. Specifically, this Court lacks subject-matter jurisdiction over this case, the Court lacks personal jurisdiction over Defendant, and venue is improper, all for the reasons stated in Defendant's Opposition to Plaintiffs' Renewed Motion for Temporary Restraining Order and Preliminary Injunction (ECF No. 33). Defendant filed an unopposed motion for extension of time to file its Answer yesterday, January 1, 2024 (ECF No. 34), but is filing this Motion to Dismiss in an abundance of caution because the Court has not ruled on Defendant's requested extension.

Dated: January 2, 2023

Respectfully submitted,

/s/ Gene C. Schaerr

GENE C. SCHAERR (D. Md. # 22340)
SCHAERR | JAFFE LLP
1717 K Street NW, Suite 900
Washington, DC 20006
Telephone: (202) 787-1060
gschaerr@schaerr-jaffe.com

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

GRANT DORFMAN
Deputy First Assistant Attorney General

JAMES LLOYD
Deputy Attorney General for Civil Litigation

/s/ Ryan S. Baasch

RYAN S. BAASCH*
(signed by Gene C. Schaerr with the
permission of Ryan S. Baasch)
Division Chief
Consumer Protection Division
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 12548, Capitol Station
Austin, Texas 78711-2548
Telephone: (512) 463-9917
ryan.baasch@oag.texas.gov

CHRIS LAVORATO*
Assistant Attorney General
General Litigation Division
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 12548, Capitol Station
Austin, Texas 78711-2548
Telephone: (512) 475-4476
chris.lavorato@oag.texas.gov

*Admitted *pro hac vice*

*Attorneys for Defendant
Ken Paxton, Attorney General
of the State of Texas*

CERTIFICATE OF SERVICE

I, Gene C. Schaerr, hereby certify that on January 2, 2024, I electronically filed Defendant's Motion to Dismiss with the Clerk for the United States District Court of Maryland using the CM/ECF system, which shall send electronic notification to counsel of record.

/s/Gene C. Schaerr
Gene C. Schaerr

Attorney for Defendant